

DAVIS WRIGHT TREMAINE LLP

1 GIBSON, DUNN & CRUTCHER LLP
2 JASON C. SCHWARTZ, admitted *pro hac vice*
3 jschwartz@gibsondunn.com
4 JOSHUA S. LIPSHUTZ, SBN 242557
5 jlipshutz@gibsondunn.com
6 GRETA B. WILLIAMS, SBN 267695
7 gbwilliams@gibsondunn.com
8 ANNA M. MCKENZIE, admitted *pro hac vice*
9 amckenzie@gibsondunn.com
10 NAIMA L. FARRELL, admitted *pro hac vice*
11 nfarrell@gibsondunn.com
12 1050 Connecticut Avenue, N.W.
13 Washington, D.C. 20036
14 Telephone: 202.955.8500
15 Facsimile: 202.467.0539
16
17 RACHEL S. BRASS, SBN 219301
18 rbrass@gibsondunn.com
19 555 Mission Street, Suite 3000
20 San Francisco, CA 94105
21 Telephone: 415.393.8200
22 Facsimile: 415.393.8306
23
24 Attorneys for Amazon.com, Inc.
25

DAVIS WRIGHT TREMAINE LLP
STEPHEN M. RUMMAGE, admitted *pro hac vice*
steverummage@dwt.com
CYRUS E. ANSARI, admitted *pro hac vice*
cyrusansari@dwt.com
920 Fifth Avenue, Suite 3300
Seattle, WA 98104-1610
Telephone: 206.757.8136
Facsimile: 206.757.7136
JEFFREY S. BOSLEY, SBN 167629
jeffbosley@dwt.com
500 Montgomery Street, Suite 800
San Francisco, CA 94111-6533
Telephone: 415.276.6500
Facsimile: 415.276.6599

Attorneys for T-Mobile US, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

17 LINDA BRADLEY, et al.,
18 Plaintiffs,
19 v.
20 T-MOBILE US, INC., et al.,
21 Defendants.
22

CASE NO. 5:17-cv-07232-BLF

**STIPULATION AND ~~PROPOSED~~ ORDER
SETTING BRIEFING SCHEDULE ON
MOTION TO DISMISS FIFTH AMENDED
COMPLAINT**

Hon. Beth L. Freeman

1 Pursuant to Local Rule 6-2(a), the parties, Communications Workers of America, Linda
2 Bradley, Maurice Anscombe, Lura Callahan, and Richard Haynie (collectively, "Plaintiffs") and
3 Defendants T-Mobile US, Inc., and Amazon.com, Inc. (collectively, "Defendants"), stipulate and
4 agree as follows:

5 1. On March 23, 2020, the Court entered an Order, Dkt. 172, adopting the parties' joint
6 proposal affording Plaintiffs until June 10, 2020 to file a Fifth Amended Complaint. The Order
7 required Defendants to file any motion to dismiss within 30 days after the filing of Plaintiffs' Fifth
8 Amended Complaint and allowed the parties to adopt a briefing schedule, as long as it provided for
9 the reply on any motion to dismiss to be filed at least 14 days before the hearing date. Dkt. 172 at 2.

10 2. On June 10, 2020, Plaintiffs filed their Fifth Amended Complaint. Dkt. 183.

11 3. On July 10, 2020, Defendants filed their motion to dismiss. Dkt. 188. At the direction
12 of the Court's chambers, the motion has been set for argument on Thursday, October 15, 2020.

13 4. In light of the foregoing, the parties request that the Court approve adopt the following
14 schedule for the remaining briefs on the pending motion (Dkt. 188):

15 (a) Plaintiffs' Opposition shall be filed on or before August 24, 2020;
16 (b) Defendants' Reply shall be filed on or before September 25, 2020.

17 5. This proposed schedule complies with the Court's direction that briefing be completed
18 at least 14 days before the October 15, 2020 hearing date. The proposed schedule would not change
19 any dates previously scheduled in this case.

20 Dated: July 14, 2020

1 OUTTEN & GOLDEN LLP
 2 By: /s/ Michael N. Litrownik
 Michael N. Litrownik*
 3 685 Third Avenue, 25th Floor
 New York, NY 10017
 4 Telephone: (212) 245-1000
 Facsimile: (646) 509-2060
 5 mlitrownik@outtengolden.com

6 Jahan C. Sagafi (Cal. Bar No. 224887)
 One California Street, 12th Floor
 7 San Francisco, California 94111
 Telephone: (415) 638-8800
 8 Facsimile: (415) 638-8810
 jsagafi@outtengolden.com

9 Pooja Shethji*
 10 601 Massachusetts Ave. N.W.
 Second Floor West
 Washington, D.C. 20001
 11 Telephone: (202) 847-4400
 Facsimile: (646) 952-9114
 12 pshethji@outtengolden.com

13 Peter Romer-Friedman*
 14 GUPTA WESSLER PLLC
 1900 L Street, NW, Suite 312
 Washington, DC 20036
 15 Telephone: (202) 888-1741
 peter@guptawessler.com

16 *Admitted *pro hac vice*
 17 Attorneys for Plaintiffs and the
 18 Proposed Class and Collective

DAVIS WRIGHT TREMAINE LLP
 By: /s/ Stephen M. Rummage
 Stephen M. Rummage,
 admitted *pro hac vice*
 steverummage@dwt.com
 Cyrus E. Ansari,
 admitted *pro hac vice*
 cyrusansari@dwt.com
 920 Fifth Avenue, Suite 3300
 Seattle, WA 98104-1610
 Telephone: 206.757.8136
 Facsimile: 206.757.7136

Jeffrey S. Bosley, SBN 167629
 jeffbosley@dwt.com
 500 Montgomery Street, Suite 800
 San Francisco, CA 94111-6533
 Telephone: 415.276.6500
 Facsimile: 415.276.6599

Attorneys for T-Mobile US, Inc.

GIBSON, DUNN & CRUTCHER LLP
 By: /s/ Jason C. Schwartz
 Jason C. Schwartz,
 admitted *pro hac vice*
 jschwartz@gibsondunn.com
 Joshua S. Lipshutz, SBN 242557
 jlipshutz@gibsondunn.com
 Greta B. Williams, SBN 267695
 gbwilliams@gibsondunn.com
 Anna M. Mckenzie,
 admitted *pro hac vice*
 amckenzie@gibsondunn.com
 Naima L. Farrell,
 admitted *pro hac vice*
 nfarrell@gibsondunn.com
 1050 Connecticut Avenue, N.W.
 Washington, D.C. 20036
 Telephone: 202.955.8500
 Facsimile: 202.467.0539

Rachel S. Brass, SBN 219301
 rbrass@gibsondunn.com
 555 Mission Street, Suite 3000
 San Francisco, CA 94105
 Telephone: 415.393.8200
 Facsimile: 415.393.8306

Attorneys for Amazon.com, Inc.

ORDER

Based on the foregoing Stipulation, IT IS SO ORDERED.

Plaintiffs shall file their Opposition to Defendants' pending motion to dismiss on or before August 24, 2020, and Defendants shall file their Reply on or before September 25, 2020.

Dated: July 14, 2020

The Honorable Beth Labson Freeman
United States District Judge

The Honorable Beth Labson Freeman
United States District Judge

DAVIS WRIGHT TREMAINE LLP

1 **SIGNATURE ATTESTATION**
2

3 I, Stephen M. Rummage, am the ECF User whose identification and password are being used
4 to file the foregoing document. Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that
5 concurrence in the filing of this document has been obtained.
6

7 Dated: July 14, 2020
8

DAVIS WRIGHT TREMAINE LLP
9

10 By: */s/ Stephen M. Rummage*
11 Stephen M. Rummage
12

13 Attorney for T-Mobile US, Inc.
14

15 DAVIS WRIGHT TREMAINE LLP
16
17
18
19
20
21
22
23
24
25
26
27
28